

UTZ CERTIFIED *Good Inside* position paper on Child Labor

Introduction

According to estimates of the International Labor Organization (ILO), over 130 million children between age 5 and 14 work in agriculture. Underlying reasons include poverty, lack of access to quality education, socio-cultural norms and low awareness of the risks involved. The practice of children working on farms is usually a way of life, because it is a way for farmers to train their children and reduce labor costs on the family's farm.

An important distinction must be made between *child work* – being in accordance with national laws, not interfering with schooling and non-hazardous – and *child labor*, which is harmful.

As the ILO points out: "*Child labor is not children doing small tasks around the house, nor is it children participating in work appropriate to their level of development that allows them to acquire practical skills. Millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. By so doing, they learn to take responsibility, they gain skills, they add to their families' and their own well-being and income, and they contribute to their countries' economies. Rather, child labor is harmful to children and does not contribute to their wellbeing.*"¹

Child labor is work that interferes with the child's opportunity to go to school or is hazardous, for instance as it involves working with dangerous equipment, carrying heavy loads and sometimes spraying agrochemicals. Child labor in its worst forms is exploitative, hazardous and inhibits the healthy development of the child, both physically and mentally.

How does UTZ CERTIFIED address child labor?

The UTZ CERTIFIED Codes of Conduct

The UTZ CERTIFIED Codes of Conduct include explicit requirements that prohibit child labor based on ILO conventions. The two main ILO conventions on child labor are ILO convention 138 on Minimum Age and ILO convention 182 on the Worst Forms of Child Labor. On family farms (small-scale producers), UTZ CERTIFIED allows children to help their parents outside school time for a limited number of hours, and only if they do not undertake hazardous work that jeopardizes their health and safety.

UTZ CERTIFIED develops its Codes of Conduct and control points through a process of extensive stakeholder consultation. International as well as local experts have actively participated in the consultations. Although UTZ CERTIFIED Codes are crop-specific, they all include the following points:²

- For both seasonal and permanent workers on UTZ Certified farms a minimum age of 15 is required.
- Persons of less than 18 years old do not conduct heavy or hazardous work or any work that that could jeopardize their physical, mental or moral well being.

¹ ILO, "Rooting out child labor from cocoa farms," Paper Number 2, Safety and Health Hazards, Annex, 2007, p. 28. Document available at www.ilo.org/ipecinfo/product/download.do?type=document&id=6445

² For an overview of all points dealing with Child Labor in the UTZ CERTIFIED Codes of Conduct per commodity please see the annexes.

- On small scale/ family run farms, children are allowed to help their families during harvesting season, but ONLY under the following circumstances:
 - The work does not interfere with schooling.
 - The work is not physically demanding/strenuous or hazardous.
 - The child is always accompanied by a adult relative
- Records are kept of age or date of birth of workers³
- No forced, bonded or trafficked labor is allowed in any shape or form
- Since child-trafficking is identified as a problem specifically in the cocoa sector the UTZ CERTIFIED Code of Conduct for Cocoa includes an additional requirement with specific reference to this problem. ⁴

Training, sensitization and cooperation

UTZ CERTIFIED works with an extensive network of partners to provide training and sensitization to farmers and their communities, including organizations specialized in child labor issues. Local trainers, NGOs and extension agents receive information about hazards and worst forms of child labor and are trained according to the requirements of the UTZ CERTIFIED Codes. For cocoa producer groups, training of the group members on the issue of child labor is a requirement in the code (point 124 and 146).

Achieving certification against the UTZ CERTIFIED Codes of Conduct involves commitment and effort from the farmer across a very wide range of topics, from farm (business and agricultural) practices and environmental care to social issues, and brings the farmer economic value. On the economic side, UTZ CERTIFIED puts emphasis on teaching good agricultural practices, which leads to higher productivity, quality and efficiency and thus a better income. These economic benefits normally substantially outweigh the (perceived) economic benefits of using child labor. This integrated approach increases the chances of compliance on single issues like child labor, because a farmer that has chosen to be part of the certificate does not want to risk losing the broader benefits for something that is clearly under his control.

UTZ CERTIFIED will further extend its network of specialized partners, particularly in regions with a high risk of child labor, to ensure alignment with the national legal frameworks and with complementary initiatives on child protection.

Internal and external auditing

Standards, like the UTZ CERTIFIED Codes of Conduct, can only be effective with sufficient training and through a robust monitoring system. The primary monitoring instrument in certification systems to prevent non-compliance by farmers is auditing. The UTZ CERTIFIED auditing approach consists of two levels:

- a. internal inspections as part of the 'Internal Control System' (ICS)
- b. external auditing by approved certification bodies (CBs)

³ In order to verify that a worker is not under the minimum age stipulated by ILO convention 138, the producer must document the birth date or age of the workers. UTZ CERTIFIED does not demand birth certificates, as this is not applicable or possible in many rural areas, but does ask certificate holders to note down name, age and gender.

⁴ Where there are indicators of exploitation/trafficking of children (children working under threat, not free to leave etc.), the certificate holder reports these cases to the relevant authorities. Actions and reports are documented (point 75).

Internal inspections

A key instrument in the certification of small farmers is the internal control system (ICS). The ICS enables efficient certification of groups of small farmers. The group coordinator (e.g. cooperative) creates an internal inspection team. Each group member is inspected by an internal inspector before inclusion in the certificate. Every certified member of the group is re-inspected at least once a year. If a non-compliance is found, the member is warned or suspended (depending on the non-compliance) until corrective actions are implemented or expelled from the certified group.

When the external auditor comes, s/he checks the ICS system and documentation as well as externally audits the square root of the number of producers.

External auditing

As a sustainability program which develops Codes of Conduct for responsible production, we believe it is more credible to use independent certification bodies (CB) for auditing. Every farm or group applying for UTZ certification receives an audit from an approved CB and is re-inspected annually. UTZ CERTIFIED only approves CBs that follow the requirements of ISO 65, the international quality norm for certification bodies, and have relevant experience in the relevant product sectors and with corresponding sustainability issues, including social issues⁵.

If the producer does not comply with a control point, the CB and the producer need to agree on corrective actions and on the period within which the producer needs to address these non-compliances. The CB will evaluate the corrective actions, which may include additional audits. The CB decides if the organization will remain certified and will inform UTZ CERTIFIED accordingly.⁶ If a CB identifies child labor, they must always notify UTZ CERTIFIED. UTZ CERTIFIED and its partners will then act immediately on the notification to see if specific actions need to be taken for the sake of the child or children, such as remediation or rehabilitation.

Conclusion

By comprehensively addressing child labor in the Codes of Conduct, the training programs and the audit approach, UTZ CERTIFIED programs provide a framework for prevention, reduction, monitoring and intervention of child labor. The Codes of Conduct themselves and the processes around certification provide an array of checks and balances that jointly prevent child labor occurring on certified farms. It is important to state that although UTZ CERTIFIED maintains a zero tolerance approach to child labor, it is impossible for any viable system to provide a 100% guarantee that no child is working on any certified farm at any time throughout the year. Therefore, for full eradication of child labor, UTZ CERTIFIED depends on all relevant stakeholders, including local communities and governments, to take an active role.

⁵ For a full list of approval requirements for Certification Bodies and qualification requirements for auditors, please see the Certification Protocol

⁶ UTZ CERTIFIED Certification Protocol 2010, page 24.